



RESOLUTION NO. R08-25

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
EXTENDING AND RE-ESTABLISHING THE MONO COUNTY
SOLID WASTE FEE PROGRAM FOR FISCAL YEAR 2008-2009**

WHEREAS, pursuant to Section 25830 of the Government Code, on or before the first day of July of each year, the Board of Supervisors may by resolution or ordinance establish a schedule of fees to be imposed upon lands within the County in order to pay for County waste disposal and related services; and,

WHEREAS, in past years Mono County has imposed and collected a schedule of fees consistent with the requirements of Section 25830 of the Government Code, against both unincorporated land in the County and, with the agreement/consent of the Town Council of the Town of Mammoth Lakes, against land in the Town; and,

WHEREAS, the Board intends by this resolution to simply extend such existing fees and not to impose any new or increased fees that would be subject to Proposition 218.

NOW, THEREFORE, BE IT RESOLVED by the Mono County Board of Supervisors as follows:

1. The program and schedule of solid waste fees imposed by Resolution No. R07-25 is hereby re-established and extended, effective July 1, 2008, against land within the County, including land within the Town of Mammoth Lakes if the Town Council consents through entry into an agreement with the County, according to use and volume of waste generation, in order to raise revenues to pay for County solid waste disposal and related services, and to pay the costs of state-mandated programs related to County waste disposal facilities.
2. Each parcel of land and each of the various waste-generating uses on each parcel in Mono County shall be identified.

1 3. The “residential equivalent” for determination of the fee on lands containing a single-family
2 dwelling is hereby established as one (1.00). Each parcel or each waste-generating use on each
3 parcel, or both (as identified herein), shall be accorded the appropriate “residential equivalent”
4 on the basis of “Schedule A,” attached hereto and entitled “Solid Waste Generation Factors for
5 Selected Land Uses.” “Schedule A” is incorporated herein by this reference as if fully set forth,
6 and is made a part of the program established by this Resolution.

7 4. Annual fees shall be charged to the identified lands or uses on the basis of sixty dollars
8 (\$60.00) for each “residential equivalent.”

9 5. The Mono County “Solid Waste Fee Program” shall be administered and operated in
10 accordance with the following policies:

11 A. General Provisions.

12 1) There shall be only one fee for each waste-generating use on a parcel of property. For
13 example, if the landowner is assessed for all uses on his parcel, the individual waste
14 generating persons or entities using that parcel shall not be assessed.

15 2) Unless the Public Works Director determines that it is fair and equitable to impose a fee
16 on individual persons or entities generating waste on a parcel, the landowner shall be
17 charged the full amount due as a result of such waste generation.

18 B. Residential Uses.

19 1) Each owner of a single-family residence shall pay a fee calculated at the rate of “one
20 residential unit” or sixty dollars (\$60.00) per year.

21 2) If it is established that the residence is used fewer than 90 days each year, the owner
22 shall be charged a fee at the rate of one-fourth (0.25) of a “residential unit,” or fifteen
23 dollars (\$15.00) per year. If it is established that the residence is used six months or
24 less, but more than three months, the owner shall be charged a fee at the rate of one-
25 half (0.5) of a “residential unit,” or thirty dollars (\$30.00) per year.

26 3) Mobile homes and individual units in apartments and condominiums shall be charged a
27 fee in accordance with “Schedule A” and Section 5.B.2 of this Resolution.

28 4) The minimum fee for residential use shall not be less than one-fourth the yearly rate for
a “residential unit,” or fifteen dollars (\$15.00) per year.

1 C. Other Uses.

- 2 1) Motels, Hotels, Lodges, and Campgrounds shall be charged a fee in accordance with a
3 factor established by the “residential equivalent” assigned in “Schedule A.” Occupancy
4 rate and months open for business may be taken into consideration.
- 5 2) Ranches and/or farms that dispose their waste on-site, in accordance with Mono County
6 Health Department approvals, shall not be charged a fee.
- 7 3) Except as specified or clarified in Section 5.D, all other uses shall be charged a fee on
8 the basis of the “residential equivalent factor” as set forth in this Resolution and
9 “Schedule A.”

10 D. Multiple or Complex Uses.

- 11 1) Except as “Schedule A” may specifically assign a “residential equivalent factor” for the
12 entire use (e.g., ski base lodge), where a single business entity operates or leases more
13 than one type of waste generating business or use in a single building, the owner of the
14 land or business shall be charged a fee on the basis of the use which has the highest
15 “residential equivalent factor” and the assessment shall be the total thereof.
- 16 2) Except as “Schedule A” may specifically assign a “residential equivalent factor” to the
17 entire use (e.g., shopping center), where individual waste generating entities operate in
18 more than one building on one or more parcels, each waste generating use shall be
19 assigned the highest “residential equivalent factor” and the fee shall be the total thereof.

20 E. There shall be no fee on unimproved parcels where waste is not generated.

21 F. There shall be no fee for Special Districts of the County that receive less than six-tenths of
22 one percent (0.6%) of the countywide property tax allocation.

23 G. Billing and Collection.

- 24 1) The Public Works Director shall establish the appropriate fee. The billings for fees
25 shall be based on the ownership status and uses of each parcel as of the first day of
26 March preceding the fiscal year for which the fee is charged.
- 27 2) The Mono County Treasurer-Tax Collector shall collect fee payments through the
28 property tax billing system.

1 H. Appeals.

- 2 1) A property or business entity who or which has reason to believe that there should be
3 no fee, that the “residential equivalent factor” has been improperly determined, or that
4 the amount of the fee has been incorrectly calculated, may request the appropriate
5 changes by notifying the Public Works Director in writing of the request no later than
6 20 days following the date of billing.
- 7 2) The Public Works Director shall, within 20 days following receipt of the written
8 request, review the facts presented and certified to by the property owner or business
9 entity and grant or deny the request. If the request is granted, the Public Works Director
10 shall prepare an appropriately modified billing, if necessary. Modified billings shall be
11 due and payable no later than 60 days following the billing date.
- 12 3) A property owner or business entity whose request pursuant to Section 5.H.1 is denied
13 by the Public Works Director shall have the right to appeal that decision to the Board of
14 Supervisors. The request for hearing shall be submitted to the Clerk of the Board of
15 Supervisors within 10 days from the date of the denial notice from the Public Works
16 Director.
- 17 4) The Board of Supervisors shall fix a time, date, and place for the hearing of any such
18 appeal. The Board of Supervisors shall cause notice of the hearing to be mailed to the
19 applicant not less than 10 days prior to the date set for hearing. At the hearing, the
20 Board of Supervisors or its selected member(s) shall hear the applicant and, within five
21 days, order such revision or correction to the fee as the Board deems just, if any.

22 I. Delinquent Fees.

- 23 1) The Public Works Director shall prepare a report of delinquent solid waste fees for the
24 Board of Supervisors in order that the Board may fix a time, date, and place for hearing
25 the report and any objections or protests thereto.
- 26 2) The Clerk to the Board shall mail the notice of the hearing to the landowners listed on
27 the report not less than 10 days prior to the hearing.
- 28 3) The Board of Supervisors shall hear any objections or protests of landowners liable for
delinquent fees. The Board may make such revisions or corrections to the report as it
deems just, which, by resolution, the report shall be confirmed.

4) The delinquent solid waste fees set forth in the report, as confirmed, shall constitute a lien on the property in the amount of the delinquent fees and the lien release fees. A late penalty of ten percent (10%) per year per installment shall attach if the amount is placed upon the tax bill and not paid in the time required by law, together with allowable costs and penalties. A certified copy of the confirmed report shall be filed with the Mono County Auditor-Controller.

SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Resolution is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of Supervisors hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsection, sentences, clauses, or phrases be declared unconstitutional.

APPROVED AND ADOPTED this 13th day of May, 2008, by the following vote of the Board of Supervisors, County of Mono:

AYES : Supervisors Bauer, Farnetti, Hazard, Hunt, and Reid.

NOES : None.

ABSENT : None.

ABSTAIN : None.

[original signed]

Vikki Bauer, Chair
Mono County Board of Supervisors

ATTEST:

Approved as to Form:

[original signed]

Clerk of the Board

[original signed]

County Counsel

SCHEDULE A

SOLID WASTE GENERATION FACTORS FOR SELECTED LAND USES

MONO COUNTY SOLID WASTE FEE PROGRAM – FISCAL YEAR 2008-2009

ITEM	LAND USE	RESIDENTIAL EQUIVALENT FACTOR
1	Aircraft Repair	1.00
2	Airports	4.00
3	Apartment, per Unit	1.00
108	Arcade	4.00
99	Auto Body & Paint Shop	2.00
4	Auto Service, Major Repairs	4.00
5	Auto Service, Minor Repairs	2.00
6	Auto Service, No Repairs	1.00
7	Bakery	2.00
8	Bank	4.00
9	Barber Shop	1.00
10	Batch Plant	4.00
11	Beauty Shop	1.00
12	Beer Bar	2.00
13	Boardinghouse	4.00
14	Boat Dock	4.00
15	Boat Repair	1.00
16	Boat Sales	1.00
17	Bunkhouse	2.00
18	Cabin, Rented	0.50
19	Campground, per Space	0.25
20	Cannery	4.00
21	Car Wash	2.00
22	Catering	2.00
23	Cinema	3.00

ITEM	LAND USE	RESIDENTIAL EQUIVALENT FACTOR
24	Church, with Kitchen	1.00
25	Church, without Kitchen	0.50
26	Cleaners	2.00
98	Commercial Ice Manufacturing	1.00
27	Community Center	1.00
28	Condominium, per Unit	0.50
29	Cookhouse	2.00
106	Correction Facility	1.00
107	Daycare Center	4.00
30	Dormitory, per Bed	0.15
31	Duplex	2.00
32	Fast Food Drive-In, No Seats	2.00
33	Fourplex	4.00
34	Government Housing, per Unit	1.00
35	Grocery Store (< 2,000 sq. ft.)	5.00
36	Grocery Store (2,000 - 40,000 sq. ft.)	10.00
37	Grocery Store (> 40,000 sq. ft.)	50.00
38	Guest House	1.00
39	Hangar	0.50
40	Highway Rest Area	10.00
41	Hospital, per Bed	1.00
101	Hotel, per Unit	0.25
42	Laboratory	1.00
43	Laundromat	3.00
105	Library	4.00
44	Light Industry	2.00
45	Lodge	1.00
46	Lounge	3.00
47	Lumber Yard	4.00
48	Machine Shop	1.00
100	Marine Corps Mtn. Warfare Training Center	103.00
49	Mill	4.00

ITEM	LAND USE	RESIDENTIAL EQUIVALENT FACTOR
103	Mini-Mart	2.00
50	Mini-Storage, per Unit	0.25
51	Mobile Home on Residential Parcel	1.00
52	Mobile Home Park, Spaces Rented	1.00
53	Mobile Home (3 per Parcel)	3.00
54	Mobile Home (2 per Parcel)	2.00
55	Motel, with Kitchen, per Unit	0.50
56	Motel, without Kitchen, per Unit	0.25
102	Museum	4.00
57	Newspaper	4.00
58	Office (< 10 employees)	2.00
59	Office (10-19 employees)	4.00
60	Office (20-28 employees)	6.00
61	Office (> 29 employees)	8.00
62	Pack Station	2.00
63	Park	6.00
64	Post Office	4.00
65	Recreational Facility (0 - 2,000 sq. ft.)	2.00
66	Recreational Facility (> 2,000 sq. ft.)	4.00
67	Repair, Tire	4.00
68	Repair, Truck	4.00
69	Residence	1.00
70	Residence (3 per Parcel)	3.00
71	Residence (2 per Parcel)	2.00
72	Restaurant (0 - 20 seats)	2.00
73	Restaurant (21 - 40 seats)	4.00
74	Restaurant (41 - 80 seats)	8.00
75	Restaurant (> 80 seats)	16.00
76	Retail, Auto Parts	2.00
77	Retail, Drug	2.00
78	Retail, Drug and Variety	4.00

ITEM	LAND USE	RESIDENTIAL EQUIVALENT FACTOR
79	Retail, Gifts	2.00
80	Retail, Hardware	4.00
81	Retail, Liquor	4.00
82	Retail, Other (0 - 2,000 sq. ft.)	2.00
83	Retail, Other (> 2,000 sq. ft.)	4.00
84	Retail, Sporting Goods	4.00
85	RV Park, per Space	0.25
86	Schools, with Food Service, per Student	0.50
87	Shopping Center (0 - 10,000 sq. ft.)	4.00
88	Shopping Center (10,001 - 20,000 sq. ft.)	8.00
89	Shopping Center (20,001 - 40,000 sq. ft.)	16.00
90	Shopping Center (40,001 - 80,000 sq. ft.)	32.00
91	Shopping Center (> 80,000 sq. ft.)	50.00
92	Ski - Base Lodge (0 - 4,000 sq. ft.)	4.00
93	Ski - Base Lodge (> 4,000 sq. ft.)	40.00
94	Studio, Photography	2.00
95	Triplex	3.00
104	USFS Building	4.00
96	Veterinary Hospital	2.00
97	Warehouse	2.00